

13281 U.S. PTO
040904

Patent
Attorney Docket No. 019952-160

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING CONTINUATION/DIVISIONAL
APPLICATION UNDER 37 C.F.R. § 1.53(b)

17510 U.S. PTO
10/820840
040904

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Customer Number 21839

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 C.F.R. § 1.53(b) of the following pending application, by the following named inventor(s):

Application No. 09/864,394 Filed: May 25, 2001

Title:

Medical Pump Monitoring System

Inventor(s): Akinori ZAITSU, Kou ISHIKAWA, and Kenji NAKAHARA

☒ The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.

☐ This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.63(d)(5), a new oath or declaration is enclosed, and the Commissioner is requested to add the name(s) of the following person or persons who are inventors of the invention being claimed in this application.



Attorney Docket No. 019952-160
Prior Application No. 09/864,394

Applicant(s) suggests Figure ____ for inclusion on the front page of the patent application publication and patent.

- ☒ Applicant(s) requests that the published application include the following assignment information:

TERUMO KABUSHIKI KAISHA, Tokyo, Japan

1. ☒ Enclosed is a copy of the prior Application No. 09/864,394 as originally filed on May 25, 2001, including copies of the specification, claims, drawings and the executed oath or declaration as filed.
2. ☐ Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
3. ☐ Small entity status is hereby claimed.
4. ☒ The filing fee is calculated below ☐ and in accordance with the enclosed preliminary amendment.

| CLAIMS | | | | | |
|--|------------------|------------|--------------|--------------------|------------------|
| | No. of Claims | | Extra Claims | Rate | Fee |
| Basic Application Fee (1001) | | | | | \$ 770.00 |
| Total Claims | 14 | MINUS 20 = | 0 | x \$18.00 (1202) = | \$ 0.00 |
| Independent Claims | 3 | MINUS 3 = | 0 | x \$86.00 (1201) = | \$ 0.00 |
| If multiple dependent claims are presented, add \$290.00 (1203) | | | | | |
| Total Application Fee | | | | | \$ 770.00 |
| <input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Application Fee | | | | | \$ 0.00 |
| Add Assignment Recording Fee of \$40.00 (8021) if Assignment document is enclosed. | | | | | |
| TOTAL APPLICATION FEE DUE | | | | | \$ 770.00 |

5. ☐ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
6. ☐ Charge _____ to Deposit Account No. 02-4800 for the fee due.
7. ☐ A check in the amount of _____ is enclosed for the fee due.
8. ☒ Charge \$ 770.00 to credit card. Form PTO-2038 is attached.
9. ☒ The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

10. ☒ Cancel in this application original claims 15-22
of the prior application before calculating the filing fee.

11. ☐ New drawings are enclosed.

12. ☒ Applicant(s) claims priority under 35 U.S.C. § 119 of the following application(s):

| Country | Application No. | Filing Date MM-DD-YYYY |
|---------|-----------------|---------------------------|
| Japan | 2000-161155 | 05-26-2000 |
| Japan | 2000-352537 | 11-15-2000 |
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☒ The certified copy of the priority application

☐ is enclosed.

☒ was filed on September 20, 2001 in prior Application No. 09/864,394,
filed on May 25, 2001, and acknowledged by the Examiner on
January 21, 2004 in Paper No. 31.

☐ has not yet been filed.

13. ☐ A preliminary amendment is enclosed.

14. ☒ An Information Disclosure Statement is enclosed.

15. ☒ A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.

16. ☒ Also enclosed is Application Data Sheet

17. ☒ The power of attorney in the prior application is to Burns, Doane, Swecker & Mathis, L.L.P.

a. ☒ The power appears in the original papers in the prior application.

b. ☐ Since the power does not appear in the original papers, a copy of the power in the
prior application is enclosed.

c. ☐ Recognize as Associate Attorney

- d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Burns, Doane, Swecker & Mathis, L.L.P.
Customer Number **2 1 8 3 9**
P.O. Box 1404
Alexandria, Virginia 22313-1404

April 9, 2004

Date

By: Matthew L. Schmeckel Reg. No. 32,814
for Platon N. Mandros

Registration No. 22,124

Address of signator:

Burns, Doane, Swecker & Mathis, L.L.P.
P.O. Box 1404
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(703) 836-6620

- ☐ inventor(s)
☐ assignee of complete interest
☒ attorney or agent of record
☐ filed under 37 C.F.R. § 1.34(a)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Zaitsu, Akinori, et al.

Application No.: Div. of Appln. No. 09/864,394

Filing Date: April 9, 2004

Title: Medical Pump Monitoring System

Group Art Unit:

Examiner:

Confirmation No.:

**GENERAL AUTHORIZATION FOR PETITIONS
FOR EXTENSIONS OF TIME AND PAYMENT OF FEES**

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. §1.136(a)(3), the U.S. Patent and Trademark Office is hereby provided with a general authorization to treat any concurrent or future reply requiring a petition for an extension of time for its timely submission as containing a request therefor for the appropriate length of time.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. § 1.17 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Date: April 9, 2004

By Matthias L. Schmitt
Platon N. Mandros
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